

REMARKS

In view of the above, claims 26-29, 31-44, and 53-58 are pending, with claims 26, 43, 53, and 56 being the independent claims. Claims 45-52 have been canceled as being directed to a non-elected invention. Claims 53-58 are new.

Independent claims 26 and 43 stand rejected as allegedly anticipated by U.S. Patent No. 5,211,463 ("Kalmanash"). Without conceding the merits of this rejection, we have amended independent claims 26 and 43 to include the limitations of claim 30. Claim 30 was rejected as allegedly obvious over Kalmanash in view of U.S. Patent No. 6,297,908 ("Suga"). We also do not concede the merits of this rejection. However, as explained in further detail below, Suga is not prior art to the present application. Therefore, we ask the Examiner to withdraw the rejection of claims 26 and 43 as presently amended.

Specifically, the U.S. filing date for Suga is June 2, 1999. On the other hand, the present application claims priority to German Patent Applications 198 60 696.6, 198 60 697.4, and 198 60 695.8, all filed on December 29, 1998, *before* Suga's filing date. See § MPEP 2136.03(I). We note that the present action acknowledges this priority claim. Therefore, the present application is entitled to priority date of December 29, 1998 for subject matter disclosed in the German Patent Applications. For the Examiner's convenience, we enclose an English translation of German Patent Application 198 60 696.6, which provides support for claims 26, 30, and 43 (see, for example, page 7 of the translation). Accordingly, we ask the Examiner to withdraw the rejection of claims 26 and 43, which as presently amended include the limitations of claim 30, now canceled.

New independent claims 53 and 56 are similar to originally filed independent claims 26 and 43, except that they require more than two entry faces that are separated from one another. On the other hand, Kalmanash has only a pair of concave surfaces 100 at opposite ends of block 86, which are used as light entry surfaces for lamps 102 (see Figure 6 in Kalmanash). In this regard, the Kalmanash device as a whole is very similar to the prior art devices identified and criticized in the Background of the present application. Specifically, the Kalmanash device implements light sources only at opposite ends of block 86.

In contrast, the invention of claims 53 and 56 enable the use of more than two light sources by structuring the perimeter of the waveguide to have many light entry surfaces, several (or all) of which are arranged at an acute angle to one of the principal directions of extent of the light waveguide. As a result, the luminance of the light source can be increased relative to prior art designs such as Kalmanash.

Dependent claims 54 and 57, which depend from claims 53 and 56, respectively, further emphasize this distinction by explicitly reciting at light source positioned at each of the (more than two) entry faces.

Furthermore, dependent claims 55 and 58, which depend from claims 53 and 56, respectively, further recite that one or more of the light entry faces are planar. In contrast, as noted by the Action at the bottom of page 3, the two entry faces in Kalmanash are concave.

Accordingly, we ask the Examiner to allow new claims 53-58.

We ask that the application be allowed.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

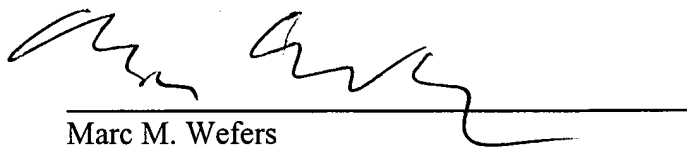
Applicant : Franz Schellhorn et al.
Serial No. : 09/868,364
Filed : October 12, 2001
Page : 9 of 9

Attorney's Docket No.: 12406-126001 / 1998P6012 US
N

Enclosed is a \$1,020.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050, referencing 12406-126001.

Respectfully submitted,

Date: 11/28/05



Marc M. Wefers
Reg. No. 56,842

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906